

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR
9004-1(b)

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SETERUS, INC., as authorized
subservicer for FEDERAL NATIONAL
MORTGAGE ASSOCIATION
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In Re:

LAWRENCE E. McGUINNESS, JR. and
ANNEMARIE McGUINNESS

Debtor(s).



Order Filed on February 16, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 15-13599 KCF

Chapter: 13

Hearing Date: January 25, 2017

Judge: Hon. Kathryn C. Ferguson,
Chief Judge

Recommended Local Form: ☒ Followed ☐ Modified

ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS

The relief set forth on the following pages, numbered two (2)
through four (4) is hereby ORDERED.

DATED: February 16, 2017

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".
Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Applicant:	SETERUS, INC., as authorized subservicer for FEDERAL NATIONAL MORTGAGE ASSOCIATION
Applicant's Counsel:	Fein, Such, Kahn & Shepard, P.C.
Debtors' Counsel:	JOSHUA HUMPHRIES, ESQ.
Property Involved (Collateral")	239 CHRISTOPHER AVENUE, UNIT 2 SOUTH PLAINFIELD, NJ 07080

Relief sought: ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent
 imposition of automatic stay against the
 collateral by debtor's future bankruptcy
 filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtors are overdue for 1 month for January, 2017 at \$1,595.85 with \$228.39 in suspense.

☐ The Debtors are assessed for N/A late charges at \$N/A per month.

☐ Applicant acknowledges receipt of funds in the amount of \$N/A received after the motion was filed.

Total Arrearages Due \$1,367.46.

2. Debtors must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$1,367.46. Payment shall be made no later than January 30, 2017.

☒ Beginning on February 1, 2017, regular monthly mortgage payments shall continue to be made in the amount of \$1,595.85.

☐ Beginning on N/A, additional monthly cure payments shall be made in the amount of \$N/A for N/A months.

☐ The amount of \$N/A shall be capitalized in the Debtors' Chapter 13 plan. The Debtors' monthly payment to the Chapter 13 Trustee is modified to be \$_____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

- ☒ Immediate payment: Seterus, Inc.
c/o Fein, Such, Kahn & Shepard P.C.
7 Century Drive
Suite 201
Parsippany, NJ 07054
- ☒ Regular monthly payment: Seterus, Inc.
PO Box 11790
Newark, NJ 07101-4790
- ☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtors fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$400.00, and costs of \$181.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.